

**RESOLUTION NO. 8- -18**

**A RESOLUTION OF THE LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY OF KANSAS CITY, MISSOURI, APPROVING AND AUTHORIZING THE RELEASE OF REDEVELOPMENT CONTRACT IN CONNECTION WITH CITY OF KANSAS CITY, MISSOURI'S PLAN TO ENTER INTO A GROUND LEASE WITH CHARLIE'S HOUSE, INC., AND AUTHORIZING FURTHER ACTIONS RELATED THERETO.**

**WHEREAS**, the Land Clearance for Redevelopment Authority of Kansas City, Missouri ("Authority") is a public body corporate and politic created by the Land Clearance for Redevelopment Authority Law, Section 99.300, *et seq.*, RSMo and is transacting business and exercising the powers granted by the Authority by virtue of Committee Substitute for Ordinance No. 16120, duly passed by the City Council of the City of Kansas City, Missouri ("City"), November 21, 1952; and

**WHEREAS**, on October 25, 1989, the LCRA and MBA Properties, a Delaware corporation, and McCormack Baron & Associates, Inc., a Missouri corporation (collectively, "Original Redeveloper") entered into the Redevelopment Contract, as amended August 28, 1990 and restated on February 21, 1991 ("Original Redevelopment Contract") for redevelopment of certain real estate located within the Hospital Hill II Urban Renewal Area; and

**WHEREAS**, the Original Redeveloper subsequently decided not to acquire the property identified in the Original Redevelopment Contract and the City requested that the Authority (i) transfer a portion of the property to the City, upon which the City built the Health Department building located at 2400 Troost Avenue, and (ii) transfer the remainder of the property to Truman Medical Center, Incorporated, a Missouri nonprofit corporation ("TMC"); and

**WHEREAS**, to effectuate an assignment of development rights under the Original Redevelopment Contract, the parties entered into the following documents: (i) Amendment to Redevelopment dated August 3, 1995, between the Authority and the Original Redeveloper and recorded as Document No. K1206093, Book K2726, Page 1677; (ii) Assignment of Redevelopment Rights and Consent to Transfer of Land dated August 3, 1995, between the Authority and the Original Redeveloper and recorded as Document No. K1206094, Book K2726, Page 1689; (iii) Acceptance of Assignment of Redevelopment Rights dated August 9, 1995, executed by TMC and recorded as Document No. K1206095, Book K2726, Page 1695; and (iv) Amended and Restated Redevelopment Contract dated August 9, 1995 between the Authority and TMC and recorded as Document No. K1206096, Book K2726, Page 1703 (collectively, "Redevelopment Contract"); and

**WHEREAS**, the property subject to the Redevelopment Contract is legally described on Exhibit A attached to the Release of Redevelopment Contract ("Property") and is the site of the Center for Behavioral Medicine (formerly the Western Missouri Mental Health Center) located at 100 E. 24<sup>th</sup> Street and owned by the State of Missouri; and

**WHEREAS**, the City owns Lot 1, KANSAS CITY HEALTH DEPARTMENT, a subdivision in the City of Kansas City, Missouri, recorded in Plat Book K39 at Page 68 of the official records of the Jackson County, Missouri Recorder of Deeds (“Lot 1”) and has agreed to enter into a ground lease with Charlie’s House, Inc., a Kansas non-profit corporation (“Charlie’s House”), for a portion of Lot 1 as legally described on the Exhibit B attached to the Release of Redevelopment Contract (“Leasehold Area”), for construction of a demonstration house for children’s safety issues, which ground lease contemplates collaboration with Turn the Page KC, Inc., a Missouri non-profit corporation, of an existing building on Lot 1 formerly known as 2401 Campbell Street, now known as 900 E. 24<sup>th</sup> Terrace, as more specifically described in Ordinance No. 180414 passed June 7, 2018 and Ordinance No. 180537 passed August 2, 2018; and

**WHEREAS**, the Property and Lot 1 are located within the Hospital Hill II Urban Renewal Area; and

**WHEREAS**, to facilitate the transaction with Charlie’s House, the City has requested that the Authority and TMC release the Redevelopment Contract as an encumbrance against the Property and Lot 1; and

**WHEREAS**, having determined that the original purposes for the Contracts have been fulfilled, the Authority desires to terminate the Contracts and fully release the Property from restrictions contained in the Contracts, subject to TMC closing on the financing transaction necessary for TMC to construct the planned medical office building.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY OF KANSAS CITY, MISSOURI, AS FOLLOWS:**

1. The Chairman, Vice Chairman, and Executive Director each is authorized to execute and deliver an instrument releasing the Property from the encumbrance and effect of the Contracts in substantially the form of the Release of Redevelopment Contract attached hereto as Exhibit A, subject to such changes, additions or deletions as such officer, upon the advice of legal counsel, may deem necessary or desirable; provided, however, that the termination of the Redevelopment Contract and execution and delivery of the Release of Redevelopment Contract is expressly subject to the City entering into a ground lease with Charlie’s House.
2. The Chairman, Vice Chairman, Executive Director, and Secretary each is further authorized and directed to execute and deliver for and on behalf of the Authority any and all additional certificates, agreements, documents or papers and to perform all other acts as the Authority or the title company may deem necessary or appropriate in order to close this transaction or otherwise implement and carry out the matters authorized by this Resolution, with such execution being conclusive evidence of his or her approval thereof.
3. This Resolution shall take effect immediately.

**ADOPTED** by the Land Clearance for Redevelopment Authority of Kansas City, Missouri this 22<sup>nd</sup> day of August, 2018.

LAND CLEARANCE FOR REDEVELOPMENT  
AUTHORITY OF KANSAS CITY, MISSOURI

[SEAL]

By: \_\_\_\_\_  
Steven D. Hamilton, Chairman

ATTEST:

\_\_\_\_\_  
Greg Flisram, Secretary

**Exhibit A**

**Release of Redevelopment Contract**